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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE AUG 01 2001

In re PATENT APPLICATION OF

TECH CENTER 1600/2900

BECKMANN et al

Atty. Ref.: 960-29

Serial No.: 08/836,734

Group Art Unit: 1634

#25

Filed: July 2, 1997

Examiner: Zitomer, S.

For: LGMD GENE CODING FOR A CALCIUM DEPENDENT PROTEASE

\* \* \* \* \*

July 30, 2001

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

Petition is hereby made to withdraw the holding of abandonment dated July 13, 2001. The Notice to Comply referenced in the July 13, 2000 Notice of Abandonment states that:

applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a)."

It is submitted that no Petition Fee should be necessary, given the facts described above. Should the PTO take a different view, authorization is hereby given to

debit the undersigned firm's account in the required amount.

It is requested that this Petition be granted and that the application be returned to pending status.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By Mary J. Wilson  
Mary J. Wilson  
Reg. No. 32,955

MJW:tat

1100 North Glebe Road  
8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
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In re Patent Application of

Atty Dkt. 960-29

BECKMANN et al

C# M#

Serial No. 08/836,734

Group Art Unit: 1634

Filed: July 2, 1997

Examiner: Zitomer, S.

Date: July 30, 2001

Title: LGMD GENE CODING FOR A CALCIUM DEPENDENT PROTEASE

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TECH CENTER 1600/210

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 80.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months)	\$
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00)	\$ 0.00
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<input type="checkbox"/> Please enter the previously unentered , filed	
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<input type="checkbox"/> Submission attached	
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Subtotal \$

If "small entity," then enter half (1/2) of subtotal and subtract	-\$
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<input type="checkbox"/> Statement filed herewith	
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Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other:	0.00
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**TOTAL FEE ENCLOSED \$**

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: \_\_\_\_\_

